## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

KYLE BENGSTON,	)	
PLAINTIFF,	)	
,	)	
v.	)	3:06-cv-00569-MEI
	)	
DAVID BAZEMORE,	)	
	)	
DEFENDANT.	)	

## PLAINTIFF'S PROPOSED JURY INSTRUCTIONS

**COMES NOW** the Plaintiff, pursuant to the Court's Scheduling Order, and identifies the following proposed jury instructions from the Alabama Pattern Civil Jury Instructions it seeks to have read to the jury at the Trial of this matter:<sup>1</sup>

1. APJI 1.01
1.02
1.03
1.05
1.06
1.07
1.08
1.09

1.10

1.13

11.00

11.01

11.02

11.03

11.05

11.06

11.09

11.10

11.11

25.00

25.03

25.04

25.05

29.00

Respectfully submitted this the 26<sup>th</sup> day of November, 2007.

/s/ James B. Douglas, Jr. James B. Douglas, Jr. McNeal & Douglas, Attorneys at Law, L.L.C. Ala. Bar No. 8935-u83j P.O. Box 1423 Auburn, AL 36831-1423 (334) 821-1596

<sup>&</sup>lt;sup>1</sup> Plaintiff assumes that designation of the specific pattern jury instruction is sufficient to comply with the Court's Order. Should the Court require a photo reproduction of the specific pattern jury instruction, in addition to the citation to said instruction, then same can be attached if necessary.

## **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the above by use of this Court's electronic filing system, on this the  $26^{th}$  day of November, 2007.

/s/ James B. Douglas, Jr. James B. Douglas, Jr.

Matthew White Blake L. Oliver Adams, Umbach, Davidson & White, LLP 205 South 9<sup>th</sup> Street Opelika, Alabama 36801